



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Assistant Commissioner

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 08581-19 G.C.

AGENCY DKT. NO. C045320017 (SALEM COUNTY BOARD OF SOC. SVCS.)

Petitioner appeals from Respondent Agency's termination of her Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's benefits, contending that Petitioner had failed to add the biological father of her children as a member of the household. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. The matter was scheduled for a hearing on July 15, 2019, August 26, 2019, and again on September 16, 2019, respectively, however, all three dates were adjourned to allow Petitioner to obtain additional documentation. On October 7, 2019, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On October 11, 2019, the ALJ issued an Initial Decision, affirming the Agency's termination of SNAP benefits. The record reflects that on April 24, 2019, the Agency became aware that J.T., the father of Petitioner's children, had listed his home address as that of Petitioner's. See Initial Decision at 2, 3; see also Exhibit R- 2 at 1. On that same date, the Agency requested that Petitioner provide a new address for J.T., or verify that J.T.'s address is the same as Petitioner's. See Exhibit R-2 at 2; see also N.J.A.C. 10:87-2.19(i). Because Petitioner never responded to the April 24, 2019, request, on May 2, 2019, an Agency investigator conducted a home visit at Petitioner's address. See Initial Decision 2; see also Exhibit R-1 at 3. The ALJ found the Investigator to be credible when he testified that, based upon his visit and the actions of Petitioner during the visit, he believed that J.T. resided in the home with Petitioner. See Initial Decision at 2, 3; see also Exhibit R-1 at 3. Additionally, an Agency investigation revealed that J.T.'s Unemployment Insurance Benefits ("UIB") payments were being sent to Petitioner's home. See Initial Decision at 2, 3; see also Exhibit R-2 at 4-8.

Based upon its investigation, on May 16, 2019, the Agency sent Petitioner a Request for Contact, requesting that she add J.T. to the SNAP household, and further advising that the failure to do so would result in the termination of her SNAP benefits. See Initial Decision at 3; see also Exhibit R-1 at 4. Petitioner did not add J.T. to her SNAP case, and as such, the Agency terminated Petitioner's SNAP benefits, effective July 1, 2019. See Initial Decision at 3; see also Exhibit R-1 at 1-2, and N.J.A.C. 10:87-2.19.



At the hearing, the ALJ found Petitioner not credible when she testified that J.T. did not reside with her. See Initial Decision at 3, 4. The ALJ further found Petitioner's actions, during the Investigator's visit, to be suspect, and her explanations implausible. Id. at 5. Based on the evidence presented, the ALJ concluded that Petitioner does not maintain a separate household from J.T., as claimed by Petitioner, and that Petitioner had failed to add J.T. to her household. See Initial Decision at 5; see also N.J.A.C. 10:87-2.19(i)(1). Accordingly, the ALJ affirmed the Agency's action terminating Petitioner's SNAP benefits, effective July 1, 2019. See Initial Decision at 6; see also Exhibit R-1 at 1-2. I agree.

No Exceptions to the Initial Decision were filed.

As Director of the Division of Family Development, Department of Human Services, I have reviewed the record for this matter and the ALJ's Initial Decision. Following an independent evaluation of the record, I concur with the ALJ's decision in this matter and I hereby adopt the Findings of Fact and Conclusions of Law as contained in the Initial Decision.

By way of comment, only one adjournment may be granted in SNAP fair hearings, which shall not exceed 30 days. See N.J.A.C. 10:87-8.6(a)(4)(i) and N.J.A.C. 1:10-9.1(b).

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's determination is hereby AFFIRMED.

Officially approved final version

Natasha Johnson
Assistant Commissioner

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